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* Admitted in TX only
** Admitted in CT only

#4

December 30, 2002

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/772,119
Applicant: Katsumi Sahoda
Filed: January 26, 2001
Title: *Fuel Cell Power Generation System*
Attorney Docket No.: OCW-002

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice to File Missing Parts of Nonprovisional Application;
2. Copy of executed Declaration, Petition and Power of Attorney;
3. Copy of Formalities Letter;
4. Request for Correction of Filing Receipt;
5. Copy of Filing Receipt with corrections noted thereon in red ink;
6. Return postcard.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231 on:

December 30, 2002

Date

Anthony A. Laurentano Reg. No. 38,220

Respectfully submitted,
LAHIVE & COCKFIELD, LLP

Anthony A. Laurentano
Reg. No. 38,220
Attorney for Applicant



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: **Katsumi SAHODA**

Serial No.: **09/772,119 (CONFIRMATION NO. 8983)**

Filed: **January 26, 2001**

**For: FUEL CELL POWER GENERATION
SYSTEM**

Attorney Docket No.: **OCW-002**

Group Art Unit: **1745**

Examiner:

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

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December 30, 2002

Date of Signature and of Mail Deposit

By:

Anthony A. Laurentano

Reg. No. 38,220

Attorney for Applicants

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice To File Missing Parts of Nonprovisional Application dated November 5, 2002 in connection with the above-referenced patent application, the Commissioner is hereby authorized to charge the amounts of **\$130.00** and **\$280.00** to

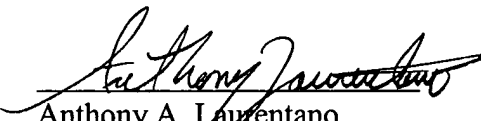
Re: U.S.S.N. 09/772,115 (CONFIRMATION NO. 8983)
Group Art Unit 1745

Deposit Account No. 12-0080 to cover the payment of the late oath and declaration surcharge and multiple dependent claim surcharge respectively. Please charge any additional fees associated with this correspondence to Deposit Account No. 12-0080. *A duplicate of this letter is enclosed.*

A copy of the executed Declaration, Petition and Power of Attorney submitted on October 8, 2002 with a Petition Under 37 CFR 1.181 to Withdraw Holding of Abandonment of a Patent Application Based on Failure to Receive Office Action or in the alternative, Petition for Revival of Holding of an Unintentionally Abandoned Patent Application Under 37 CFR 1.137 (b) is enclosed. A copy of the Formalities Letter is also enclosed. If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP


Anthony A. Laurentano
Registration No. 38,220
Attorney for Applicants

28 State Street
Boston, MA 02109
(617) 227-7400

Date: **December 30, 2002**



COPY

Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/772,119	01/26/2001	Katsumi Sahoda	OCW-002

CONFIRMATION NO. 8983

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

FORMALITIES LETTER



OC00000009060499

Date Mailed: 11/05/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b) 01/15/2003 MABAWI 00000007 120080 09772119

Filing Date Granted

01 FC:1203

270.00 CH

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of **\$270** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$400** for a Large Entity

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$270**
 - **\$270** for multiple dependent claim surcharge.

01/07/2003 MBERHE 00000082 120080 09772119

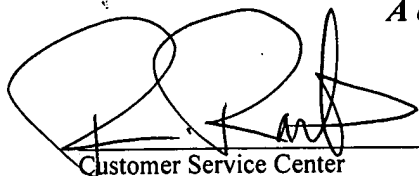
01 FC:1051 130.00 CH
02 FC:1203 270.00 CH

Adjustment date: 01/15/2003 MABAWI

01/07/2003 MBERHE 00000082 120080 09772119

02 FC:1203 270.00 CH

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, consisting of several loops and a final vertical stroke, positioned above a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

JAN 08 2003

UNITED STATES
PATENT AND
TRADEMARK OFFICECOPY
Central Office for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/772,119	01/26/2001	1745	710	OCW-002	8	6	1

CONFIRMATION NO. 8983

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

FILING RECEIPT



OC000000009060466

Date Mailed: 11/05/2002

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Katsumi Sahoda, Wako-shi, JAPAN;

Domestic Priority data as claimed by applicant

Foreign Applications

claiming priority of
Japanese Patent Application No. 2000-24818 filed January 28, 2000
If Required, Foreign Filing License Granted 03/07/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

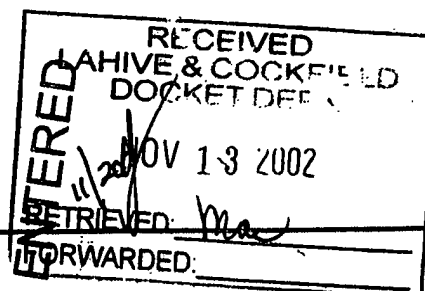
Early Publication Request: No

Title

Fuel cell power generation system

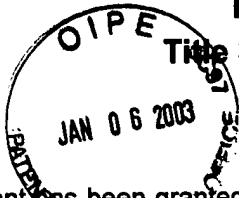
Preliminary Class

429



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Cod of Federal Regulations, 5.11 & 5.15**

GRANTED



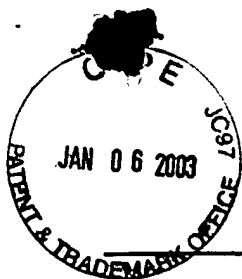
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Katsumi SAHODA

Serial No.: 09/772,119

Filed: January 26, 2001

For: FUEL CELL POWER GENERATION
SYSTEM

Attorney Docket No.: **OCW-002**

Group Art Unit: 1745

Examiner:

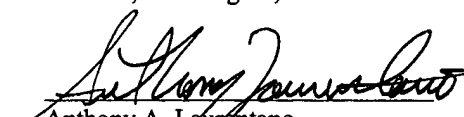
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Washington, D.C. 20231

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December 30, 2002
Date of Signature and of Mail Deposit

By:


Anthony A. Laurentano
Reg. No. 38,220
Attorney for Applicant

REQUEST FOR CORRECTION OF FILING RECEIPT

Dear Sir:

Please issue a corrected filing receipt for the above-cited application. Applicant requests that the claim of priority data be shown on the filing receipt as follows: **"claiming priority of Japanese Patent Application No. 2000-24818 filed January 28, 2000."** A copy of the executed Declaration, Petition and Power of Attorney for this patent application is being filed concurrently herewith in Response to the Notice to File Missing Parts of Non-Provisional

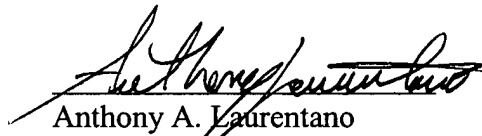
USSN 09/772,119
Group Art Unit 1745

Application. Applicant also encloses a copy of the Official Filing Receipt received from the U.S. Patent and Trademark Office in connection with this application with the requested change noted thereon in red ink.

Since the foregoing error on the filing receipt is a mere clerical error, no fees are required to affect the necessary correction. However, if fees are due in connection with the filing of this Request, please charge them to our Deposit Account No. 12-0080.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



Anthony A. Laurentano
Registration No. 38,220
Attorney for Applicant

28 State Street
Boston, MA 02109
(617) 227-7400

Date: December 30, 2002